Filed: February 17, 2004 Confirmation No. 1273

Page 3 of 18

## **AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in this application.

- 1. (Withdrawn) A method of augmenting rejection of tumor cells by a subject, the method comprising administering to the subject an effective amount of a pharmaceutical composition comprising an isolated D isomer of an inhibitor of indoleamine-2,3-dioxygenase, wherein the inhibitor of indoleamine-2,3-dioxygenase is selected from the group consisting of 1-methyl-D-tryptophan,  $\beta$ -(3-benzofuranyl)-D-alanine,  $\beta$ -(3-benzo(b)thienyl)-D-alanine, 6-nitro-D-tryptophan, and combinations thereof.
- 2. (Currently amended) A method of delaying the relapse or progression of a tumor in a subject, the method comprising administering to the subject an effective amount of a pharmaceutical composition comprising an isolated D isomer of an inhibitor or indoleamine 2,3-dioxygenase, wherein the inhibitor or indoleamine 2,3-dioxygenase is selected from the group consisting essentially of 1-methyl-D-tryptophan,  $\beta$ -(3-benzofuranyl)-D-alanine,  $\beta$ -(
- 3. (Cancelled)
- 4. (Cancelled)
- 5. (Withdrawn) The method of claim 1, wherein the tumor cells are a cancer selected from the group consisting of melanoma, colon cancer, pancreatic cancer, breast cancer, prostrate cancer, lung cancer, leukemia, brain tumors, lymphoma, sarcoma, ovarian cancer and Kaposi's sarcoma.

Filed: February 17, 2004 Confirmation No. 1273

Page 4 of 18

6. (Previously presented) The method of claim 2, further comprising administering one or more chemotherapeutic agents to the subject.

- 7. (Original) The method of claim 6 wherein at least one chemotherapeutic agent is selected from the group consisting of cyclophosphamide, methotrexate, fluorouracil, doxorubicin, vincristine, ifosfamide, cisplatin, gemcytabine, busulfan, ara-C, and combinations thereof.
- 8. (Cancelled)
- 9. (Cancelled)
- 10. (Previously presented) The method of claim 2 further comprising administering radiation therapy.
- 11-16. (Cancelled)
- 17. (Previously presented) The method of claim 2 wherein the pharmaceutical composition is administered in combination with a cytokine.
- 18. (Original) The method of claim 17 wherein the cytokine is granulocyte-macrophage colony stimulating factor (GM-CSF) or flt3-ligand.
- 19. (Cancelled)

Filed: February 17, 2004 Confirmation No. 1273

Page 5 of 18

20. (Previously presented) The method of claim 2 wherein the pharmaceutical composition is administered in combination with a vaccine.

- 21. (Original) The method of claim 20, wherein the vaccine is a tumor vaccine.
- 22. (Currently amended) The method of claim 21, wherein the tumor <u>vaccine</u> is a melanoma vaccine.
- 23. (Original) The method of claim 21, wherein the tumor vaccine comprises genetically modified tumor cells.
- 24. (Original) The method of claim 23, wherein the genetically modified tumor cells are transfected with granulocyte-macrophage stimulating factor (GM-CSF).
- 25. (Cancelled)
- 26. (Original) The method of claim 21, wherein the tumor vaccine comprises dendritic cells.
- 27. (Withdrawn) A method of stimulating an immune response to a tumor in a subject, the method comprising administering to the subject an effective amount of a pharmaceutical composition comprising an isolated D isomer of an inhibitor of indoleamine-2,3-dioxygenase, where the inhibitor of indoleamine-2,3-dioxygenase is selected from the group consisting of 1-methyl-D-tryptophan,  $\beta$ -(3-benzofuranyl)-D-alanine,  $\beta$ -(3-benzo(b)thienyl)-D-alanine, 6-nitro-D-tryptophan, and combinations thereof.

28 - 42. (Cancelled)

Filed: February 17, 2004 Confirmation No. 1273

Page 6 of 18

43. (Withdrawn) A method of treating a subject suffering from a neoplastic condition, the method comprising administering to the subject an effective amount of a pharmaceutical composition comprising an isolated D isomer of an inhibitor of indoleamine-2,3-dioxygenase, wherein the inhibitor of indoleamine-2,3-dioxygenase is selected from the group consisting of 1-methyl-D-tryptophan,  $\beta$ -(3-benzofuranyl)-D-alanine,  $\beta$ -(3-benzo(b)thienyl)-D-alanine,  $\beta$ -nitro-D-tryptophan, and combinations thereof.

44-96. (Cancelled)

- 97. (New) The method of claim 2, wherein said composition consisting essentially of 1-methyl-D-tryptophan is administered before, during, or after surgical resection, radiation therapy, chemotherapy, hormone therapy, anti-tumor vaccination, anti-viral vaccination, antibody-based therapy, cytokine-based therapy, whole body irradiation, bone marrow transplantation, and peripheral stem cell transplantation.
- 98. (New) The method of claim 2, wherein the composition is formulated with a pharmaceutically acceptable carrier.
- 99. (New) The method of claim 2, wherein the composition is formulated for oral, rectal, nasal, topical, transdermal, aerosol, buccal, sublingual, vaginal, parenteral, subcutaneous, intramuscular, intravenous, intradermal, enteral, intraperitoneal, or intravesical administration.
- 100. (New) The method of claim 99, wherein the composition is formulated for oral delivery.

Filed: February 17, 2004 Confirmation No. 1273

Page 7 of 18

101. (New) The method of claim 100, wherein the composition is formulated in a tablet or a capsule.

- 102. (New) The method of claim 99, wherein the composition is formulated for a controlled or sustained release.
- 103. (New) The method of claim 2, wherein the composition is formulated as an ointment, a gel, a solution, a patch, or an implant.
- 104. (New) The method of claim 2, wherein the composition is formulated with one or more diluents, buffers, binders, disintegrants, surface active agents, thickeners, lubricants, or preservatives.
- 105. (New) The method of claim 2, wherein the administering is carried out in a number of doses at intervals of time.
- 106. (New) The method of claim 2, wherein the tumor cells are a cancer selected from the group consisting of melanoma, colon cancer, pancreatic cancer, breast cancer, prostrate cancer, lung cancer, leukemia, brain tumors, lymphoma, sarcoma, ovarian cancer, Kaposi's sarcoma, Hodgkin's Disease, non-Hodgkin's Lymphoma, multiple myeloma, neuroblastoma, rhabdomyosarcoma, primary thrombocytosis, primary macroglobulinemia, small-cell lung tumors, primary brain tumors, stomach cancer, malignant pancreatic insulanoma, malignant carcinoid, urinary bladder cancer, premalignant skin lesions, testicular cancer, malignant hypercalemia, cervical cancer, endometrial cancer, and adrenal cortical cancer.

Filed: February 17, 2004 Confirmation No. 1273

Page 8 of 18

107. (New) A method of delaying the relapse or progression of a tumor in a subject, the

method comprising administering to the subject an effective amount of a pharmaceutical

composition comprising 1-methyl-D-tryptophan but not 1-methyl-(D,L)-tryptophan.

108. (New) A method of delaying the relapse or progression of a tumor in a subject, the

method comprising administering to the subject an effective amount of a pharmaceutical

composition comprising 1-methyl-D-tryptophan but not 1-methyl-L-tryptophan.

109. (New) The method of claim 107 or 108, further comprising administering at least

one chemotherapeutic agent to the subject.

110. (New) The method of claim 109, wherein the chemotherapeutic agent is selected

from the group consisting of: cyclophosphamide, methotrexate, fluorouracil, doxorubicin,

vincristine, ifosfamide, cisplatin, gemcytabine, busulfan, and ara-C.

111. (New) The method of claim 107 or 108, wherein the composition further

comprises at least one chemotherapeutic agent.

112. (New) The method of claim 111, wherein the chemotherapeutic agent is selected

from the group consisting of: cyclophosphamide, methotrexate, fluorouracil, doxorubicin,

vincristine, ifosfamide, cisplatin, gemcytabine, busulfan, and ara-C.

113. (New) The method of claim 107 or 108, further comprising administering

radiation therapy.

Filed: February 17, 2004 Confirmation No. 1273

Page 9 of 18

- 114. (New) The method of claim 107 or 108, further comprising administering a cytokine.
- 115. (New) The method of claim 114, wherein the cytokine is granulocyte-macrophage colony stimulating factor (GM-CSF) or its flt3-ligand.
- 116. (New) The method of claim 107 or 108, wherein the pharmaceutical composition further comprises a cytokine.
- 117. (New) The method of claim 107 or 108, further comprising administering a vaccine.
- 118. (New) The method of claim 117, wherein the vaccine is a tumor vaccine.
- 119. (New) The method of claim 118, wherein the tumor vaccine is a melanoma vaccine.
- 120. (New) The method of claim 118, wherein the tumor vaccine comprises genetically modified tumor cells.
- 121. (New) The method of claim 120, wherein the genetically modified tumor cells are transfected with granulocyte-macrophage stimulating factor (GM-CSF).
- 122. (New) The method of claim 118, wherein the tumor vaccine comprises dendritic cells.

Filed: February 17, 2004 Confirmation No. 1273

Page 10 of 18

- 123. (New) The method of claim 107 or 108, wherein said composition is administered before, during, or after surgical resection, radiation therapy, chemotherapy, hormone therapy, anti-tumor vaccination, anti-viral vaccination, antibody-based therapy, cytokine-based therapy, whole body irradiation, bone marrow transplantation, and peripheral stem cell transplantation.
- 124. (New) The method of claim 107 or 108, wherein the composition further comprises a pharmaceutically acceptable carrier.
- 125. (New) The method of claim 107 or 108, wherein the composition is formulated for oral, rectal, nasal, topical, transdermal, aerosol, buccal, sublingual, vaginal, parenteral, subcutaneous, intramuscular, intravenous, intradermal, enteral, intraperitoneal, or intravesical administration.
- 126. (New) The method of claim 125, wherein the composition is formulated for oral delivery.
- 127. (New) The method of claim 126, wherein the composition is formulated in a tablet or a capsule.
- 128. (New) The method of claim 125, wherein the composition is formulated for a controlled or sustained release.
- 129. (New) The method of claim 107 or 108, wherein the composition is formulated as an ointment, a gel, a solution, a patch, or an implant.
- 130. (New) The method of claim 107 or 108, wherein the composition further

Filed: February 17, 2004 Confirmation No. 1273

Page 11 of 18

comprises one or more diluents, buffers, binders, disintegrants, surface active agents, thickeners, lubricants, or preservatives.

- 131. (New) The method of claim 107 or 108, wherein the administering is carried out in a number of doses at intervals of time.
- 132. (New) The method of claim 107 or 108, wherein the tumor cells are a cancer selected from the group consisting of melanoma, colon cancer, pancreatic cancer, breast cancer, prostrate cancer, lung cancer, leukemia, brain tumors, lymphoma, sarcoma, ovarian cancer and Kaposi's sarcoma, Hodgkin's Disease, non-Hodgkin's Lymphoma, multiple myeloma, neuroblastoma, rhabdomyosarcoma, primary thrombocytosis, primary macroglobulinemia, small-cell lung tumors, primary brain tumors, stomach cancer, malignant pancreatic insulanoma, malignant carcinoid, urinary bladder cancer, premalignant skin lesions, testicular cancer, malignant hypercalemia, cervical cancer, endometrial cancer, and adrenal cortical cancer.